IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

Appeal No. 770 of 2005
In
Chamber Summons No. 452 of 2005
In
Suit No. 76 of 2005

Goswami Shri Niraj Alias
Neeraj M. Goswami .. Appellants
(Orig.Def.No.50)

V/s.

M/s. Rizvi Builders .. Respondents
(Orig.Plaintiffs)

Goswami Shrimad Gokulnathji
HUF & Ors. .. Respondents
(Orig.Def.No. 1 to
49 and 51 to 57)

And

M/s. Harikrishnan R. Bhattad & Ors. .. Respondents
(Orig. Applicants)

WITH

Appeal No. 771 of 2005
In
Chamber Summons No. 452 of 2005
In
Suit No. 76 of 2005

Goswami Shrimad Gokulnathji
Maharaj HUF & ors. .. Appellants
(Orig.Def.No.1)

V/s.

M/s. Rizvi Builders .. Respondents
(Orig.Plaintiffs)

Shri Goswami Madhuchandra alias
Madhusudan Krishnachandraji & Ors. .. Respondents
(Orig. Deft.
Nos. 2 to 57)

And

M/s. Harikrishnan R. Bhattad & Ors. .. Respondents
(Orig. Applicants)

Mr. Krishnaraj Goswami for the Appellants (In Appeal No. 770 of 2005)

Mr. F. D'vitre, Sr. Advocate i/b. Mr. Shaunak Desai for the Appellants (In Appeal No. 771 of 2005)

Mr. Vima Dalal i/b. M/s. Vima Dalal & Co. for the Applicants

(IN CHAMBER : AT 2:35 PM.)

CORAM : DR. S. RADHAKRISHNAN &
S.C. DHARMADHIKARI, JJ.
DATED : 25.11.2005.

P.C.:-

1. Heard the learned counsel for the parties. Both the parties have agreed that there are certain mistakes in our order with regard to Appeal No. 771 of 2005 as well as Appeal No. 770 of 2005 and in Notice of Motion No. 2681 of 2005 in Appeal No. 770 of 2005.

2. It is made clear that Appeal No. 771 of 2005 stands admitted, whereas it was earlier wrongly shown as "withdrawn". Similarly, Appeal No. 770 of 2005 stands withdrawn, whereas it was wrongly shown as "admitted".

3. Similarly interim stay, which was granted in Notice of Motion No. 2681 of 2005 in Appeal No. 770 of 2005 stands vacated and the stay is granted in the Notice of Motion No. 2682 of 2005 in Appeal No. 771 of 2005.

4. Appearances of respective parties and their respective Advocates stand corrected as under:-

i) In Appeal No. 770 of 2005

Mr. Virag Tulzarpurkar i/b. Mrishnaji Goswami for the Appellants

Mr. Devraj, Sr. Advocate with Mr. N.V. Walawalkar with Mr. N.V. Vima Dalal i/b. M/s. Vima Dalal & Co. for the Applicants

ii) In Appeal No. 771 of 2005

Mr. F. Divetre, Senior Advocate i/b. Mr. Shaunak S. Desai for the Appellants

Mr. Raju Subramaniam for the Respondent (Original Applicant)

(DR. S. RADHAKRISHNAN, J.)

(S.C. DHARMADHIKARI, J.)